

BOARD OF COUNTY COMMISSIONERS
Agenda Item Summary

Meeting Date June 18, 2003 **Division** **County Attorney**

AGENDA ITEM WORDING

Public hearing of an ordinance prohibiting persons from remaining upon Loop Road, Sugarloaf Key, between sundown and sunrise.

ITEM BACKGROUND

There have been problems of late night use and dumping in this are. The Sugarloaf Shores Property Owners Association has requested this action.

PREVIOUS RELEVANT BOCC ACTION

See above.

CONTRACT/AGREEMENT CHANGES
N/A

STAFF RECOMMENDATIONS

Approval.

TOTAL COST
COST TO COUNTY

BUDGETED **Yes** **No**
SOURCE OF FUNDS

APPROVED BY: County Attorney ☒ OMB/Purchasing ☐ Risk Management ☐

DIVISION DIRECTOR APPROVAL:


J. R. COLLINS

DOCUMENTATION: Included ☐ To Follow ☐ Not Required ☐

AGENDA ITEM # _____

V4

ORDINANCE NO. - 2003

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, PROHIBITING PERSON FROM REMAINING UPON LOOP ROAD, SUGARLOAF KEY, BETWEEN SUNDOWN AND SUNRISE; PROVIDING FOR POSTING OF SIGNS; PROVIDING FOR PENALTIES FOR VIOLATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HERewith; PROVIDING FOR INCORPORATION INTO THE MONROE COUNTY CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA:

Section 1. No person may enter upon, or remain upon, the right-of-way of Loop Road on Sugarloaf Key between sunset and sunrise. A map of Loop Road is attached to this Ordinance as Exhibit A and made a part of it. This section does not apply to employees of Monroe County including law enforcement officers employed by the Monroe County Sheriff's Office.

Section 2. The Public Works Department is directed to post Loop Road with signs reading substantially as follows:

LOOP ROAD CLOSED TO PUBLIC: SUNSET TO SUNRISE
County Ordinance No. -2003.

Section 3. Violations of this Ordinance shall be prosecuted in the same manner as misdemeanors are prosecuted. Such violations shall be prosecuted in the name of the state in a court having jurisdiction of misdemeanors by the prosecuting attorney thereof and upon conviction shall be punished by a fine not to exceed \$500 or imprisonment in the County jail not to exceed 60 days or by both such fine and imprisonment.

Section 4. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of said conflict.

Section 4. The provisions of this ordinance shall be included and incorporated in the Code of Ordinances of the County of Monroe, Florida, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

Section 5. This ordinance shall take effect immediately upon receipt of official notice from the Office of the Secretary of State of the State of Florida that this ordinance has been filed with said Office.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of said Board held on the 18th day of June, 2003.

Mayor Spehar
Mayor Pro Tem Nelson
Commissioner McCoy
Commissioner Neugent
Commissioner Rice

(SEAL)
Attest: DANNY L. KOLHAGE, Clerk

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

By _____
Deputy Clerk

By _____
Mayor/Chairperson

jordLoopRoad

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY.
BY: [Signature]
ROBERT N. WOLFE
DATE 4-7-03

